

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

KENYA JAMEL CABINESS,
Plaintiff,

v.

UNITED STATES MARSHAL SERVICE,
Defendant.

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Civil Action No. 7:19cv00020

MEMORANDUM OPINION

By: Michael F. Urbanski
Chief United States District Judge

Plaintiff Kenya Jamel Cabiness, proceeding *pro se*, filed a complaint pursuant to Bivens v. Six Unknown Names Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). By order entered January 9, 2019, the court conditionally filed this action. See ECF No. 3. On January 24, 2019, the order was returned to the court as undeliverable and with no forwarding address. See ECF No. 4. Cabiness has not provided the court with an updated address and, therefore, the court has no means of contacting him. Accordingly, the court will dismiss Cabiness's complaint without prejudice. Cabiness is advised that he may refile his claims in a separate action, subject to the applicable statute of limitations.

ENTER: This 28 day of January, 2019.

/s/ Michael F. Urbanski

Chief United States District Judge